



General Assembly

January Session, 2005

Raised Bill No. 1146

LCO No. 3709

03709_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT CONCERNING PENSION AND OTHER BENEFITS FOR
STATE EMPLOYEES SERVING IN THE MILITARY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) Notwithstanding any
2 provision of the general statutes or any public or special act, no state
3 employee who is a member of the armed forces of any state or of any
4 reserve component of the armed forces of the United States and who
5 has been called to active service in the armed forces of any state or the
6 United States for (1) Operation Enduring Freedom, (2) Operation
7 Noble Eagle, (3) a related emergency operation or a military operation
8 whose mission was substantially changed as a result of the attacks of
9 September 11, 2001, or (4) federal action or state action authorized by
10 the Governor in support of the federal Department of Homeland
11 Security's Operation Liberty Shield, military operations that are
12 authorized by the President of the United States that entail military
13 action against Iraq, or federal action or state action authorized by the
14 Governor to combat terrorism within the United States, may be denied
15 any right or benefit granted to such employee under the Uniformed
16 Services Employment and Reemployment Rights Act, 38 USC Chapter

17 43, as amended from time to time, by any state agency.

18 Sec. 2. Subsection (c) of section 5-259d of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective from*
20 *passage*):

21 (c) (1) Notwithstanding any provision of the general statutes or any
22 public or special act, any state employee who is a member of the
23 armed forces of any state or of any reserve component of the armed
24 forces of the United States and who has been called to active service in
25 the armed forces of any state or the United States for (1) Operation
26 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency
27 operation or a military operation whose mission was substantially
28 changed as a result of the attacks of September 11, 2001, or (4) federal
29 action or state action authorized by the Governor in support of the
30 federal Department of Homeland Security's Operation Liberty Shield,
31 military operations that are authorized by the President of the United
32 States that entail military action against Iraq, or federal action or state
33 action authorized by the Governor to combat terrorism within the
34 United States, shall be entitled to a leave of absence with pay as
35 provided in section 27-33 from the date on which the employee was
36 called to active service. After the expiration of such leave of absence
37 with pay, the state employee shall receive part pay for the duration of
38 such call-up to active service if the compensation received by the state
39 employee for such active service is less than the employee's base rate
40 of pay, plus longevity, in the employee's primary position. The state
41 employee shall not be required to exhaust accrued vacation or sick
42 time in order to be eligible for the paid leave of absence and part pay
43 under this [subsection] subdivision.

44 (2) In addition to the paid leave of absence provided under
45 subdivision (1) of this subsection, the state employee shall be entitled
46 to a paid leave of absence for the two-week period beginning on the
47 date the employee returns to the state from the call-up to active
48 service. The Commissioner of Administrative Services shall adopt

49 regulations, in accordance with the provisions of chapter 54, as
50 necessary to establish guidelines concerning compliance with the
51 provisions of this subdivision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	5-259d(c)

Statement of Purpose:

To ensure that state employees in active service are afforded all employment benefits and protections provided under federal law and to give state employees returning from active duty two weeks paid leave.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]